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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/785,207	02/20/2001	Kunihiko Iizuka	1046.1240 (JDH)	3957
21171	7590	09/13/2004	EXAMINER	
STAAS & HALSEY LLP SUITE 700 1201 NEW YORK AVENUE, N.W. WASHINGTON, DC 20005			SHRADER, LAWRENCE J	
			ART UNIT	PAPER NUMBER
			2124	

DATE MAILED: 09/13/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/785,207

Applicant(s)

IIZUKA, KUNIIHIKO

Examiner

Lawrence Shrader

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 01 June 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-12 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-12 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

### DETAILED ACTION

1. This office action is in response to the amendment filed by the Applicant on 6/01/2004.
2. The arguments set forth in the amendment filed on 6/01/2004 by the Applicant have been fully considered, but are moot in view of the new grounds of rejection necessitated by the current amendments.

#### *Claim Rejections - 35 USC § 102*

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 4, 5, 8, 10, and 12 are rejected under 35 U.S.C. 102(b) as being anticipated by Menendez et al., U.S. Patent 5,555,369 (hereinafter referred to as Menendez).

#### **In regard to claim 4:**

*A program development device developing an application program by combining components having a plurality of interfaces, comprising:*

*a layout component selection module selecting said layout component which lays out a plurality of components to be laid out;*

Menendez discloses a component layout module (column 14, lines 42 – 60; e.g.,

Figures 8 and 9).

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*a laid-out component selection module selecting said component to be laid out in said selected layout component;*

Menendez discloses a component selection module (column 14, lines 42 – 60; e.g., Figures 8 and 9).

*a prescribing module prescribing a layout specification for laying out said laid-out components;*

Menendez discloses a layout prescribing a module employing an editor to layout a window (column 10, lines 20 – 55; e.g., Figures 12 – 14).

*a recording unit retaining a layout specification record of the prescribed layout specification;*

Menendez discloses that the layout is recorded by selecting the “Add Window” menu selection (column 10, lines 41 – 54).

*an edit module supporting a development of the program by laying out said laid-out components in said layout component in accordance with the layout specification record.*

Menendez discloses a layout module employing an editor to layout a window and modify the view (column 10, lines 20 – 55; e.g., Figures 12 – 14).

**In regard to claim 5, incorporating the rejection of claim 4:**

*“...further comprising a specification designating module designating one of a plurality of layout specification records,*

*wherein said edit module supports the development of the program by use of the layout specification prescribed in the designated layout specification record.”*

Menendez discloses that the layout can be edited (column 15, lines 42 – 55; e.g., Figures 10 – 14).

**In regard to claim 8** (a method), rejected for the same corresponding reasons put forth in the rejection of claim 4 (a corresponding device).

**In regard to claim 10** (a computer-readable medium), rejected for the same corresponding reasons put forth in the rejection of claim 8 (a corresponding method).

**In regard to claim 12** (a communication signal containing code), rejected for the same corresponding reasons put forth in the rejection of claim 8 (a corresponding method).

***Claim Rejections - 35 USC § 103***

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 1, 2, 7, 9 and 11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Menendez et al., U.S. Patent 5,555,369 in view of Tow et al., U.S. Patent 5,860,070 (hereinafter referred to as Tow).

Menendez discloses a program development device developing an application program by use of a component having a plurality of interfaces, comprising:

**In regard to claim 1:**

*a component selecting module having said component selected;*

Menendez discloses a component selection module (column 2, lines 35 – 45; column 14, lines 42 – 47; e.g., Figure 8).

*an interface selection module having said interface selected for said selected component, and setting whether said selected interface is permitted to be embedded into said application program or not;*

Menendez discloses an interface selection module (column 2, lines 35 – 45; column 14, lines 50 – 54), but does not explicitly disclose determining permission to embed the interface in to the application program. However, Tow discloses insertion of data into a table wherein permission is required to perform the update (column 2, line 60 to column 3, line 3). Therefore, it would have been obvious to one skilled in the art at the time the invention was made to combine the interface selection module as taught by Menendez with the act of gaining permission before conducting an update as taught by Tow, because the combination allows the Menendez invention to select an interface while avoiding conflicts with existing components as taught by Tow at column 3, lines 1 – 3.

*a recording unit retaining a set record of setting whether said interface is permitted to be embedded into said application program or not;*

Menendez does not specifically record valid and invalid interfaces. However, Tow discloses recording a key value that is used to allow or deny the insertion of a row into a table. Therefore, it would have been obvious to one skilled in the art at the time the invention was made to combine the component and interface selection module as taught by Menendez with the recording of a unique key used to permit the update of a table row as taught by Tow, because the combination provides a means for the Menendez

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record key information to determine whether or not the interface is permitted to be embedded just as permission to insert a row is determined by the same logis in the Tow invention at column 3, lines 1 – 3.

*an edit module supporting the development of the program by use of said interface set in to be permitted to be embedded into said application program or said interface that is not set to be inhibited to be embedded into said application program in accordance with the set record.*

Menendez discloses an edit module for editing the script underlying the selected component interface (column 15, lines 44 – 47), but does not explicitly disclose determining permission to embed the interface in to the application program. However, Tow discloses insertion of data into a table wherein permission is required to perform the update (column 2, line 60 to column 3, line 3). Therefore, it would have been obvious to one skilled in the art at the time the invention was made to combine the interface selection module as taught by Menendez with the act of gaining permission before conducting an update as taught by Tow, because the combination allows the Menendez invention to select an interface while avoiding conflicts with existing components as taught by Tow at column 3, lines 1 – 3.

**In regard to claim 2, incorporating the rejection of claim 1:**

*“...further comprising a specifying module specifying one of the plurality of set records, wherein said edit module supports the development of the program by use of said interface set to be permitted to be embedded into said application program in the specified set record or said interface that is not set to be embedded into said application program in the specified set record.”*

Menendez discloses an edit module for editing the script underlying the selected component interface (column 15, lines 44 – 47), but does not explicitly disclose

determining permission to embed the interface in to the application program. However, Tow discloses insertion of data into a table wherein permission is required to perform the update (column 2, line 60 to column 3, line 3). Therefore, it would have been obvious to one skilled in the art at the time the invention was made to combine the interface selection module as taught by Menendez with the act of gaining permission before conducting an update as taught by Tow, because the combination allows the Menendez invention to select an interface while avoiding conflicts with existing components as taught by Tow at column 3, lines 1 – 3.

**In regard to claim 7 (a method),** rejected for the same corresponding reasons put forth in the rejection of claim 1 (a corresponding device).

**In regard to claim 9 (a computer-readable medium),** rejected for the same corresponding reasons put forth in the rejection of claim 7 (a corresponding method).

**In regard to claim 11 (a communication signal containing code),** rejected for the same corresponding reasons put forth in the rejection of claim 7 (a corresponding method).

7. Claim 3 is rejected under 35 U.S.C. 103(a) as being unpatentable over Menendez et al., U.S. Patent 5,555,369 in view of Tow et al., U.S. Patent 5,860,070 as applied to claim 1 above, and further in view of May, U.S. Patent 6,421,653.



**In regard to claim 3, incorporating the rejection of claim 1:**

*“a group definition module defining a group consisting of a plurality of users;”*

*“a group specifying module specifying a usable set record with respect to the group.”*

Menendez discloses a module defining a group of usable components and Tow discloses recording a key value that is used to allow or deny the insertion of a row into a table, but neither Menendez nor Tow explicitly discloses a group consisting of a plurality of users. However, May discloses a class group modification interface that determines unassigned (invalid) and assigned (valid) groups of valid entities (users) and usable records (column 28, lines 32 – 59). Therefore, it would have been obvious to one skilled in the art at the time the invention was made to combine the component and interface selection module as taught by the combination of Menendez and Tow with the class group modification interface taught by May, because the combination provides a means for the selection of usable records that assign permissions for insertion of an interface in the Menendez/Tow combination with respect to a group by customizing the groups with addition and deletion of group members as taught by May (column 28, lines 45 – 48).

8. Claim 6 is rejected under 35 U.S.C. 103(a) as being unpatentable over Menendez et al., U.S. Patent 5,555,369 as applied to claim 4 above, in view of May, U.S. Patent 6,421,653.

**In regard to claim 6, incorporating the rejection of claim 4:**

*“...further comprising:*

*a group definition module defining a group consisting of a plurality of users; and*

*a specification designating module designating the layout specification record applicable to said application program developed by the group."*

Menendez discloses a module defining a group of usable components, but does not disclose a group consisting of a plurality of users or record with respect to the group. However, May discloses a class group modification interface that determines unassigned (invalid) and assigned (valid) groups of valid entities (users) and usable records (column 28, lines 32 – 59). Therefore, it would have been obvious to one skilled in the art at the time the invention was made to combine the component and interface selection module as taught by Menendez with the class group modification interface taught by May, because the combination provides a means for the Menendez invention to select usable records with respect to a group by customizing the groups with addition and deletion of group members as taught by May (column 28, lines 45 – 48).

### ***Conclusion***

9. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37

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CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

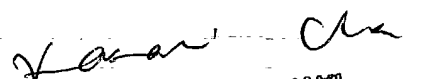
10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Lawrence Shrader whose telephone number is (703) 305-8046. The examiner can normally be reached on M-F 08:00-16:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kakali Chaki can be reached on (703) 305-9662. The fax phone number for the organization where this application or proceeding is assigned is (703) 746-7239.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.

Lawrence Shrader  
Examiner  
Art Unit 2124

August 25, 2004

  
KAKALI CHAKI  
SUPERVISORY PATENT EXAMINER  
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